

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of: Frank Venegas, Jr.

Application No.: 09/771,227

Confirmation No.: 6935

Filed: January 26, 2001

Art Unit: 3635

For: CART CORRAL

Examiner: M. R. Wendell

**RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated June 25, 2008, the Examiner's attention is directed to the following remarks.

Claims 1-3, 8-11, 13-14, 21-23, and 27-31 stand rejected under 35 USC 103(a) over Ulmer ('183) in view of Savino ('697). However, even in combination, all of Applicant's claim limitations are not met.

In particular, all of Applicant's claims currently under rejection include the limitation of:

"removable and replaceable polymerized sheathing surrounding each of said vertical rails having an interior and exterior diameter, the interior diameter equal to or greater than the outer diameter of said vertical rails and extending the length of said vertical rails;" and

"removable and replaceable polymerized sheathing surrounding each of said horizontal rails having an interior and exterior diameter, the interior diameter equal to or greater than the outer diameter of each of said horizontal rails and extending the length of said horizontal rails"

The Examiner argues that "a plastic coating certainly satisfies the limitation of a polymerized sheathing." (OA, near bottom of p. 3) Applicant respectfully disagrees. First, "sheathing" would be interpreted as a separate material used to cover something. The "coating" of Ulmer would not apply, as it is more like a coat of paint.